

UNITED STATES DISTRICT COURT

U. S. DEPARTMENT OF THE TREASURY,
PLAINTIFF

V

CASE#4:2021-cv-03610

SEIZED FEDERAL SECURITIES,
DEFENDANT

United States Courts
Southern District of Texas
FILED

MAY 23 2022

CEASE AND DESIST

Nathan Ochsner, Clerk of Court

TO : ALL 3RD PARTY SERVICE PROVIDERS , et al
RE:(ATTACHED DEFENDANT) FEDERAL RESERVE BANK OF NEW YORK
33 Liberty St. New York, NY 10045

Per. attached 11th Circuit ORDER and supplemental attachments, the (ATTACHED DEFENDANT) has been arrested. Any service provider, contractor, agent, merchant, primary dealer, employee, recipient, class member, payment processor, settlement administrator, payer, payee, intermediary-corresponding bank, and any other person or custodian shall immediately cease and desist all operations, terminate, close, disconnect all services, utilities, registrations, payments, settlements, checks, drafts, invoices, wire transfers, phone-internet, contracts, subscriptions, work- orders, accounts, licenses, leases, bonds, permits, postal-mail, electronically stored info., etc. with the above- mentioned (ATTACHED DEFENDANT) within 72 hours of receipt, and return evidence of termination along with any property, U.S. Treasury bonds, or money received from the (ATTACHED DEFENDANT) made payable TO: Trustee Recovery Account, P.O. Box #381292 42383 Garfield Rd. Clinton Township, Mich. 48038.

Whereas, 3rd PARTY is also subject to binding compliance of the National Security Act per. attached warrants in which disclosure to anyone of arrest and cease and desist is prohibited. Failure to comply within the specified time is subject to further arrest and seizure of 3rd PARTY'S assets by the U. S. MARSHALS or any local or state law enforcement officers.

Dated 05-12-2022

U.S. DEPARTMENT OF THE TREASURY,
PLAINTIFF

IN THE UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

No. 21-11738-J

U.S. DEPARTMENT OF THE TREASURY,

Plaintiff - Appellee,

versus

SEIZED FEDERAL SECURITIES,

Defendant,

DUANE L. BERRY,

Interested Party - Appellant.

Appeal from the United States District Court
for the Northern District of Georgia

ORDER:

The Appellant's motion to stay pending appeal, construed from motion to stay all Orders, Judgments, Mandates, Proceedings or otherwise in this action is GRANTED to the extent that this appeal shall be stayed for a period of sixty (60) days. The Appellant may file a renewed motion for stay at the expiration of the sixty (60) day-time period if necessary.

The Appellant is directed to file a monthly status report on the 15th of every month until the stay has been lifted.

/s/ Robin S. Rosenbaum
UNITED STATES CIRCUIT JUDGE

UNITED STATES COURT OF APPEALS

**UNITED STATES DEPT. OF THE TREASURY,
PLAINTIFF**

V.

CASE#21-11738

**SEIZED FEDERAL SECURITIES,
DEFENDANT**

_____ /

STATUS REPORT BY ORDER

The ORDER has been satisfied to the extent that the Plaintiff has arrested and taken custody of the Defendant by attachments through its Federal Trustee Duane L Berry and the U. S. Marshals Service. No further stay is necessary. See attached executed warrants.

**/s/Duane L Berry
FEDERAL TRUSTEE**

APR -5 2021

APR - 5 1964
JAMES N. HATTEN, Clerk

UNITED STATES DEPARTMENT OF
THE TREASURY.

V.

SEIZED FEDERAL SECURITIES.

Defendant.

TO: THE UNITED STATES MARSHAL AND ANY AUTHORIZED PERSON

WHEREAS, in a matter concerning the National Security of the United States in the above captioned action, the undersigned FEDERAL TRUSTEE, on behalf of the United States Department of the Treasury, has issued a warrant for arrest in rem regarding the recovery and investigation of classified tax records, documents, and banking information pursuant to the National Security Act.

[See 50 U.S.C. § 3162(a)(1)]

WHEREAS, the undersigned FEDERAL TRUSTEE is authorized to issue this warrant and no further court action is required.
[See 50 U.S.C. § 3162(a)(3)(A) and 26 U.S.C. § 6903]

Dated: March 11, 2021

~~DUANE L. BERRY~~
~~FEDERAL TRUSTEE~~
~~(26 USC § 6903)~~

UNITED STATES DEPARTMENT OF THE TREASURY
1500 Pennsylvania Ave. NW
Washington, DC 20220

PLAINTIFF U.S. DEPARTMENT OF THE TREASURY	COURT CASE NUMBER 1:21-cv-00717- CA
DEFENDANT SEIZED FEDERAL SECURITIES	TYPE OF PROCESS WARRANT

SERVE **CNN**
AT **1 CNN Center, Atlanta, GA 30303**

NAME OF INDIVIDUAL COMPANY, CORPORATION, ETC. TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN
ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code)

SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW	Number of process to be served with this Form 285	1
U.S. DEPARTMENT OF THE TREASURY Attn: Mr. Brent J. McIntosh (General Counsel) 1500 Pennsylvania Ave., NW Washington, DC 20220	Number of parties to be served in this case	1
	Check for service on U.S.A.	

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available for Service):

PLEASE MAINTAIN LEAKED TAX RECORDS, 'SEIZED FEDERAL SECURITIES' (Defendant) in your custody until further notice

Signature of Attorney other Originator requesting service on behalf of:	<input checked="" type="checkbox"/> PLAINTIFF <input type="checkbox"/> DEFENDANT	TELEPHONE NUMBER ---	DATE 8/16/21
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SPACE BELOW FOR USE OF U.S. MARSHAL ONLY-- DO NOT WRITE BELOW THIS LINE

I acknowledge receipt for the total number of process indicated. (Sign only for USM 285 if more than one USM 285 is submitted)	Total Process 1	District of Origin No. A19	District to Serve No. A19	Signature of Authorized USMS Deputy or Clerk <i>John Bauer</i>	Date 7/8/21
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I hereby certify and return that ☒ I have personally served, ☐ I have legal evidence of service, ☐ I have executed as shown in "Remarks", the process described on the individual, company, corporation, etc., at the address shown above on the on the individual, company, corporation, etc. shown at the address inserted below.

☐ I hereby certify and return that I am unable to locate the individual, company, corporation, etc. named above (See remarks below)

Name and title of individual served (if not shown above)

Linda Banks

Address (complete only different than shown above)

289 Colver Street

Lawrenceville, GA 30046

FILED IN CLERK'S OFFICE
U.S.D.C. - Atlanta

AUG 16 2021

KEVIN P. WEIMER, Clerk
By: *[Signature]*

☐ A person of suitable age and discretion then residing in defendant's usual place of abode

Date
13 Aug 21
Time
1140
Signature of U.S. Marshal or Deputy

Service Fee *	Total Mileage Charges including endeavors	Forwarding Fee	Total Charges \$492.24	Amount paid to U.S. Marshal or Amount of Refund \$0.00
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REMARKS:

1) 404-827-1500 2) legal dept 4-827-4987 3) CT Corp 289 Colver St. S
General # Kelly Lawrenceville

PRINT COPIES:

1. CLERK OF THE COURT
2. USMS RECORD
3. NOTICE OF SERVICE
4. BILLING STATEMENT*: To be returned to the U.S. Marshal with payment, if any amount is owed. Please remit promptly payable to U.S. Marshal.
5. ACKNOWLEDGMENT OF RECEIPT

* see capture report for list of charges.

PRIOR EDITIONS MAY BE USED

US-285 Service Form: Fill on the front only. Sign as needed and return as specified below.

U.S. Department of Justice
United States Marshals Service

PROCESS RECEIPT AND RETURN

See "Instructions for Service of Process by U.S. Marshal"

PLAINTIFF U.S. DEPARTMENT OF THE TREASURY	COURT CASE NUMBER 1:21-cv-00717 CAP
DEFENDANT SEIZED FEDERAL SECURITIES	TYPE OF PROCESS SUBPOENA/WARRANT
SERVE AT { NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC. TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN MARTINS Towing Inc ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code) 17160 Dix Kleck Hwy, Brownsburg, MI 48112	

SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW

U.S. DEPARTMENT OF THE TREASURY
Attn: Mr. Brent J. McIntosh
(General Counsel)
1500 Pennsylvania Ave., NW
Washington, DC 20220

Number of process to be served with this Form 285

Number of parties to be served in this case

Check for service on U.S.A.

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available for Service):

Fol

(SEE ATTACHED WARRANT)

FILED IN CLERK'S OFFICE
U.S.D.C. - Atlanta

JUL 29 2021

Signature of Attorney (other Originator requesting service on behalf of):

☒ PLAINTIFF
☐ DEFENDANT

TELEPHONE NUMBER

 KEVIN P. WEIMER, Clerk
 BY: [Signature] Deputy Clerk

SPACE BELOW FOR USE OF U.S. MARSHAL ONLY-- DO NOT WRITE BELOW THIS LINE

I acknowledge receipt for the total number of process indicated. (Sign only for USM 285 if more than one USM 285 is submitted)	Total Process 1	District of Origin No. 39	District to Serve No. E/MI	Signature of Authorized USMS Deputy or Clerk [Signature]	Date 7/23/21
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I hereby certify and return that I ☒ have personally served, ☐ have legal evidence of service, ☐ have executed as shown in "Remarks", the process described on the individual, company, corporation, etc., at the address shown above on the on the individual, company, corporation, etc., shown at the address inserted below.☐ I hereby certify and return that I am unable to locate the individual, company, corporation, etc. named above (See remarks below)

Name and title of individual served (if not shown above)

Ashley Poore (Office Manager)

Address (complete only different than shown above)

Same as above

☒ A person of suitable age and discretion then residing in defendant's usual place of abode
 Date: 7/23/2021 Time: 9:43 ☒ am ☐ pm

 Signature of U.S. Marshal or Deputy
 [Signature] # 31809

Service Fee	Total Mileage Charges (including enclaves) 14 miles / 1 hour	Forwarding Fee	Total Charges	Advance Deposits	Amount Received U.S. Marshal or Deputy Clerk \$0.00
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REMARKS:

Served without incident to Ashley Poore, Office Manager of Martins Towing INC. on 7/23/2021 @ 0943 hrs.

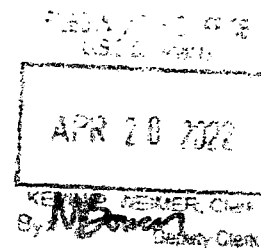
1. CLERK OF THE COURT # 1 endeavor 7/27/2021
 2. USMS RECORD # 14 miles
 3. NOTICE OF SERVICE
 4. BILLING STATEMENT* To be returned to the U.S. Marshal with payment, if any amount is owed. Please remit promptly payable to U.S. Marshal
 5. ACKNOWLEDGMENT OF RECEIPT # 1 hour

PRIOR EDITIONS MAY BE USED

 Form USM-285
 Rev. 12-15-80
 Automated 01/00

UNITED STATES DISTRICT COURT

U. S. DEPARTMENT OF THE TREASURY,
PLAINTIFF



V.

CASE#1-21- 717

SEIZED FEDERAL SECURITIES,
DEFENDANT

-----/

NOTICE OF FORFEITURE

The real property known as THE FEDERAL RESERVE BANK OF NEW YORK
Located at 33 Liberty St, New York, N.Y., 10045 with all appurtenances and
attachments thereon and any right to collect and receive any profit, rent, income
and proceeds therefrom directly or indirectly including all interest held in or
secured by the real property has been attached through the Defendant SEIZED
FEDERAL SECURITIES and forfeited to the Plaintiff per attached executed warrants.
Any Unknown Defendant willing to contest the forfeiture must file a notice of
appearance within 10 days of service or this notice shall constitute an irrevocable
vesting of title and conveyance of property to the Plaintiff.

Dated: 04-12-2022

/S/ DUANE L. BERRY
FEDERAL TRUSTEE

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing was served upon:

**FEDERAL RESERVE BANK OF NEW YORK
33 Liberty St.
New York, N.Y. 10045**

**THE FEDERAL RESERVE BANKING SYSTEM
CHAIRMAN JEROME POWELL
20TH St. and Constitution Ave. N.W.
Washington, D.C. 20551**

**U.S. SENATE COMMITTEE ON BANKING
534 Dirksen Senate Office Bldg.
Washington, D.C. 20510**

**U.S. HOUSE COMMITTEE ON FINANCIAL SERVICES
2129 Rayburn House Office Bldg.
Washington, D.C. 20515**

By U.S. Certified Mail, see attached receipts

Dated: 04-12-2022

**/s/DUANE L. BERRY
FEDERAL TRUSTEE**

7021 1970 0002 1229 2056

USPS FORM 3840-100
CERTIFIED MAIL RECEIPT
FIRST CLASS PERMIT NO. 10045
NEW YORK, NY 10045

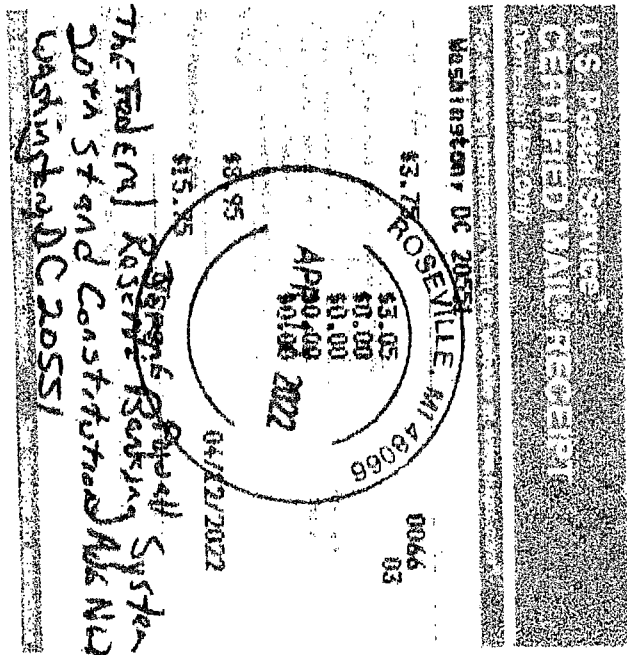
FEDERAL RESERVE BANK OF N.Y.
33 Liberty St.
New York, NY 10045

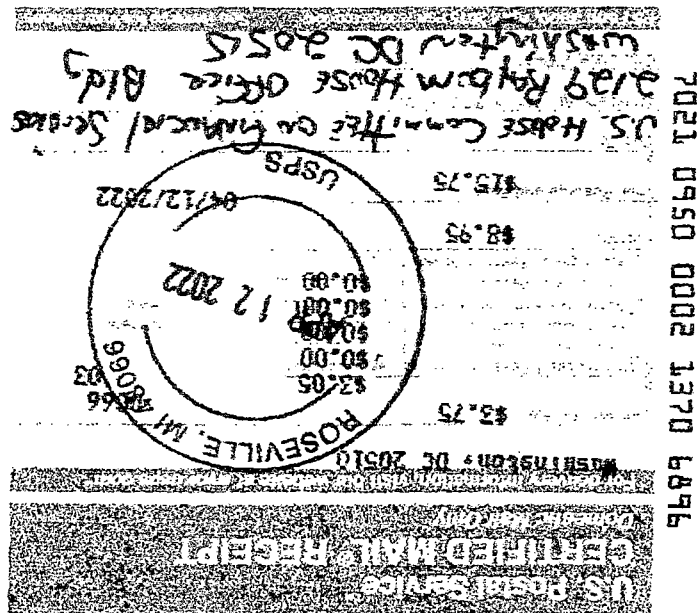
ROSEVILLE, MI 48066
APR 12 2022
USPS
05/22/2022

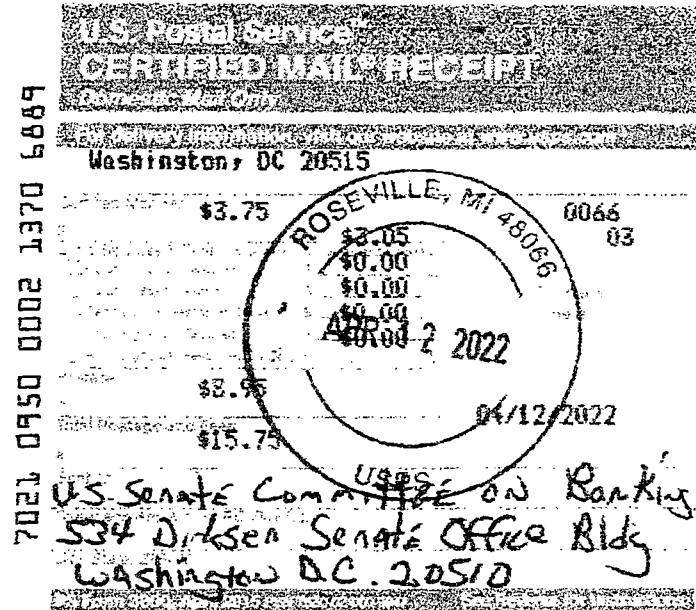
\$3.75
\$8.95
\$15.75

\$3.00
\$0.00
\$0.00
\$0.00
\$0.00

7021 1970 0002 1229 2070







PRESS FIRMLY TO SEAL



PRIORITY MAIL



1004



77002

U.S. POSTAGE PAID
PM 2-Day
STERLING HEIGHTS, MI
48311
MAY 21, 22
AMOUNT
\$15.75
R2305M144230-1B

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT
OF THE RETURN ADDRESS, FOLD AT DOTTED LINE

CERTIFIED MAIL®**PRIORITY®
MAIL**

FROM:

7021 2720 0001 9067 9317

- Expected delivery date specified for domestic use.
- Most domestic shipments include up to \$50 of insurance (restrictions apply).*
- USPS Tracking® included for domestic and many international destinations.
- Limited international insurance.**
- When used internationally, a customs declaration form is required.

*Insurance does not cover certain items. For details regarding claims exclusions see the Domestic Mail Manual at <http://pe.usps.com>.

** See International Mail Manual at <http://pe.usps.com> for availability and limitations of coverage.

UNITED STATES DEPT. OF TREASURY
1500 PENNSYLVANIA AVE. NW
WASHINGTON, D.C. 20220

RETURN RECEIPT
REQUESTED

TO:

U.S. District Court
Southern District of Texas
Clerks: Nathan Ochsner
515 Rusk Ave.
Houston, TX 77002

AT RATE ENVELOPE

ATE ■ ANY WEIGHT

United States Court
Southern District of Texas
FILED

MAY 23 2022

Nathan Ochsner, Clerk of Court

PACKED ■ INSURED

To schedule free Package Pickup,
scan the QR code.



USPS.COM/PICKUP



PS00001000014

EP14F May 2020
OD: 12 1/2 x 9 1/2